

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1832 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

DHARMENDRASINHJI RANJITDINHJI RATHOD,

Versus

SARPANCH

Appearance:

MR DEEPAK M SHAH for Petitioner
MR SURESH M SHAH for Respondent No. 1
MR PM RAVAL for Respondent No. 2
MR DD VYAS for Respondent No. 3
Mr. D. N.Patel, instructed by M/S PATEL ADVOCATES
for Respondent No. 5
MR JR NANAVATI for Respondent No. 6

CORAM : MR.JUSTICE B.C.PATEL

Date of decision: 05/05/2000

ORAL JUDGEMENT

Mr. Vyas ,learned counsel for one of the respondents submits that the petition is not required to be entertained further. He drew my attention to the prayer clause. Reading the same, it appears that the petitioner approached the Court for a direction that respondents Nos. 1,2,3 and 4 should hold a meeting forthwith and after following the procedure for giving contract for collecting octroi for further period. During the year 1986, ad-interim relief was granted to the effect that octroi of village Chotila shall be collected from 1.4.1986 by the Sarpanch, respondent No.1 till further orders. Sarpanch was also directed to utilise the services of employees of the Gram Panchayat. He was directed to deposit the octroi collected with the Panchayat. For that period, whatever octroi was collected has been deposited with the Panchayat.

For giving octroi Ijara, a meeting was called. The District Panchayat vide order dated 19.3.1986 quashed the said order for the meeting.

In view of the fact that after the aforesaid order passed by the Court, it is not pointed out that contract which was sought to be given was for unlimited period and the period being over, nothing survives. Rule is discharged. Ad-interim relief is vacated.

parekh